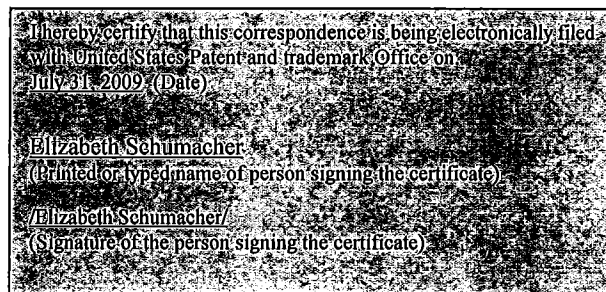


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marc Scott Hodes, *et. al.*  
Serial No.: 10/803,565  
Filed: March 18, 2004  
Title: RESERVE CELL ARRAY NONSTRUCTURED BATTTERY  
Grp./A.U.: 1795  
Examiner: John S. Maples Confirmation No.: 5953

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Sir:

**RENEWED PETITION TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM UNDER 35 U.S.C. 120 FOR THE BENEFIT  
OF A PRIOR-FILED NON-PROVISIONAL APPLICATION**

The Applicants' attorney respectfully petitions, for a second time, that the Commissioner of Patents and Trademarks to allow the Applicants to claim the benefit of a prior-filed non-provisional application under 35 U.S.C. 120. Applicants' failure to claim the benefit of a prior-filed non-provisional application under 35 U.S. C. 120 was unintentional. Moreover, the entire delay between the date the claim was due under paragraph (a)(2)(i) of 37 C.F.R. §1.78 and the date the claim was

filed was unintentional. The following reference should have been, and thus should now be, included within the pending application:

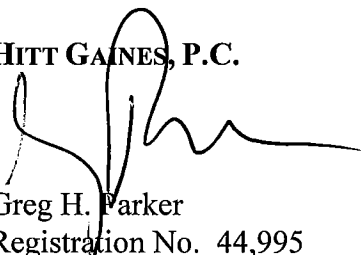
This Application is a continuation-in-part of U.S. Application Serial No. 10/716,084 filed on November 18, 2003, to Timofei Nikita Kroupenine, et al., entitled "ELECTROWETTING BATTERY HAVING A NANOSTRUCTURED ELECTRODE SURFACE," commonly assigned with the present invention which issued as U.S. Patent Number 7,227,235 B2 on June 5, 2007.

The requisite fee of **\$1,410.00** was charged to Deposit Account No. 08-2395 on February 2, 2009, thus no further fees are due and payable at this time with regard to this renewed petition. Nevertheless, the Commissioner is authorized to charge any additional fees, credits or overpayments to Deposit Account 08-2395.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

**HITT GAINES, P.C.**



Greg H. Parker  
Registration No. 44,995

Dated: July 31, 2009

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800